

EXTENSION OF BASIC SKILLS**COMPETENCY TEST**

2002 FIFTH SPECIAL SESSION

STATE OF UTAH

Sponsor: Marda Dillree

This act modifies the State System of Public Education by extending for one year the pilot status of the tenth grade basic skills competency test. This act provides an immediate effective date.

This act affects sections of Utah Code Annotated 1953 as follows:

AMENDS:

53A-1-602, as last amended by Chapter 219, Laws of Utah 2000

53A-1-603, as last amended by Chapter 210, Laws of Utah 2002

53A-1-611, as last amended by Chapter 219, Laws of Utah 2000

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **53A-1-602** is amended to read:

53A-1-602. Definitions.

As used in this part:

(1) "Achievement test" means a standardized test which measures or attempts to measure the level of performance which a student has attained in one or more courses of study.

Achievement tests shall include norm-referenced and criterion-referenced tests.

(2) "Basic skills course" means a subject which requires mastery of specific functions, as defined under rules made by the State Board of Education, to include reading, language arts, mathematics through geometry, science, in grades 4 through 12, and effectiveness of written expression.

(3) "Constructed response" means an answer to a question on a criterion-referenced test that requires a student to provide other than a "true-false" or "multiple choice" response.

(4) "Utah Performance Assessment System for Students" or "U-PASS" means:



(a) systematic norm-referenced achievement testing of all students in grades 3, 5, 8, and 11 required by this part in all schools within each school district by means of tests designated by the State Board of Education;

(b) criterion-referenced achievement testing of students in all grade levels in basic skills courses, except as otherwise provided for science in Subsection (2), to include constructed responses to questions on a pilot basis for tests administered during the 2002-03 and 2003-04 school years, except science tests, and the inclusion of constructed response questions on all criterion-referenced tests, except science tests, administered during the 2004-05 school year and for each year thereafter;

(c) beginning with the 2001-02 school year, a direct writing assessment in grades 6 and 9;

(d) beginning with the ~~[2002-03]~~ 2003-04 school year, a tenth grade basic skills competency test as detailed in Section 53A-1-611; and

(e) beginning with the 2002-03 school year, the use of student behavior indicators in assessing student performance.

Section 2. Section **53A-1-603** is amended to read:

53A-1-603. Duties of State Board of Education.

(1) The State Board of Education shall:

(a) require each school district to implement the Utah Performance Assessment System for Students, hereafter referred to as U-PASS;

(b) require the state superintendent of public instruction to submit and recommend criterion-referenced and norm-referenced achievement tests, a tenth grade basic skills competency test, and a direct writing assessment for grades 6 and 9 to the board for approval and adoption and distribution to each school district by the state superintendent;

(c) develop an assessment method to uniformly measure statewide performance, school district performance, and school performance of students in grades 1 through 12 in mastering basic skills courses; and

(d) provide for the state to participate in the National Assessment of Educational Progress state-by-state comparison testing program.

(2) Under U-PASS, the state office shall annually require that each district administer:

(a) a statewide norm-referenced test to all students in grades 3, 5, 8, and 11;

(b) statewide criterion-referenced tests in all grade levels and courses in basic skill areas of the core curriculum;

(c) a direct writing assessment to all students in grades 6 and 9, with the first assessment to be administered during the 2001-02 school year; and

(d) a tenth grade basic skills competency test as detailed in Section 53A-1-611, with the first test to be administered during the ~~[2002-03]~~ 2003-04 school year.

(3) The board shall adopt rules for the conduct and administration of U-PASS to include the following:

(a) the computation of student performance based on information that is disaggregated with respect to race, ethnicity, gender, limited English proficiency, and those students who qualify for free or reduced price school lunch;

(b) security features to maintain the integrity of the system, which could include statewide uniform testing dates, multiple test forms, and test administration protocols;

(c) the exemption of student test scores, by exemption category, such as limited English proficiency, mobility, and students with disabilities, with the percent or number of student test scores exempted being publically reported at a district level;

(d) compiling of criterion-referenced and direct writing test scores and test score averages at the classroom level to allow for:

(i) an annual review of those scores by parents of students and professional and other appropriate staff at the classroom level at the earliest point in time and consistent with the timeline of the phase-in referred to in Section 53A-1-602 and this section, but no later than by the end of the school year beginning with the 2003-04 school year;

(ii) the assessment of year-to-year student progress in specific classes, courses, and subjects;

(iii) a teacher to review, prior to the beginning of a new school year for the 2003-04 school year and for each school year thereafter, test scores from the previous school year of students who have been assigned to the teacher's class for the new school year; and

(iv) allowing a school district to have its tests administered and scored electronically to accelerate the review of test scores and their usefulness to parents and educators under Subsections (3)(d)(i), (ii), and (iii), without violating the integrity of U-PASS; and

(e) providing that:

(i) scores on the tests and assessments required under Subsection (2)(b) shall be considered in determining a student's academic grade for the appropriate course and whether a student shall advance to the next grade level; and

(ii) the student's score on the tenth grade basic skills competency test shall be recorded on the student's transcript of credits.

Section 3. Section **53A-1-611** is amended to read:

53A-1-611. Standards and assessment processes to measure student performance -- Basic skills competency test.

(1) The Legislature recognizes the need for the State Board of Education to develop and implement standards and assessment processes to ensure that student progress is measured and that school boards and school personnel are accountable.

(2) (a) In addition to its responsibilities under Sections 53A-1-603 through 53A-1-605, the State Board of Education, through the state superintendent of public instruction, shall design a basic skills competency test to be administered in the tenth grade.

(b) A student must pass the basic skills competency test, in addition to the established requirements of the state and local board of education of the district in which the student attends school, in order to receive a basic high school diploma of graduation.

(c) The state board shall include in the test, at a minimum, components on English language arts and reading and mathematics.

(d) A student who fails to pass all components of the test may not receive a basic high school diploma but may receive a certificate of completion or alternative completion diploma under rules made by the State Board of Education in accordance with Title 63, Chapter 46a, Utah Administrative Rulemaking Act.

(e) The state board shall make rules:

(i) to allow students who initially fail the test to retake all or part of the test; and

(ii) that take into account and are consistent with federal law relating to students with disabilities in the administration of the test.

(3) The state board shall implement the tenth grade basic skills competency test, no later than the beginning of the ~~[2002-03]~~ 2003-04 school year.

(4) The requirements of this section are to be complementary to the other achievement testing provisions of this part.

121 Section 4. **Effective date.**
122 If approved by two-thirds of all the members elected to each house, this act takes effect
123 upon approval by the governor, or the day following the constitutional time limit of Utah
124 Constitution Article VII, Section 8, without the governor's signature, or in the case of a veto, the
125 date of veto override.

Legislative Review Note
as of 7-8-02 3:36 PM

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel